



09-09-05
JCOS Rec'd PCT/PTO 08 SEP 2005
Docket No: AM101125
10/530073st

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **NAIR et al.**
Application No.: 10/530,073
Filed: April 1, 2005
For: **ASSAY METHODS FOR DETECTION OF A VIRUS IN AN AVIAN TISSUE SAMPLE**
Group Art No.: **to be assigned**
Examiner: **to be assigned**
Confirmation No.: 7581
Customer Number: 25291

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS

September 8, 2005

Sir:

This is in response to the Notice to File Missing Parts of the Application mailed on **August 8, 2005**.

The following documents are enclosed:

- 1) Copy of August 8, 2005 PTO 371 Formalities Letter - "NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
- 2) Executed Combined Declaration and Power of Attorney (Two)
- 3) SUBMISSION OF "SEQUENCE LISTING," COMPUTER READABLE COPY, AND/OR AMENDMENT PERTAINING THERETO FOR BIOTECHNOLOGY INVENTION CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE
- 4) Sequence Listing
- 5) Compact disc copy of the Sequence Listing

CERTIFICATE OF MAILING 37 CFR §1.10

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service on the date written below in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV 100493201 US addressed to the Mail Stop Missing Parts, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

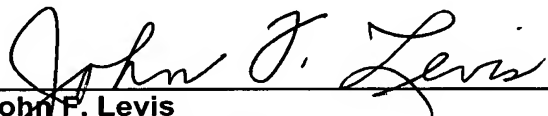
September 9, 2005
Date

Cecilia Chessell
Cecilia Chessell

The fee **\$130.00** should be charged to **Deposit Account No. 01-1425**. A duplicate copy of this sheet is enclosed for deposit account charging purposes.

The Commissioner is hereby authorized to charge any additional fees required by this paper, including the enclosed documents, and during the entire pendency of this application and to credit any excess amounts paid to Deposit Account No. **01-1425**. A copy of this letter is enclosed for use by the Deposit Account Branch.

Respectfully submitted,



John F. Levis
Attorney for Applicants
Reg. No. **32,210**

Wyeth
Patent Law Department
Five Giralda Farms
Madison, NJ 07940
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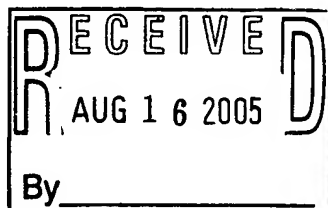
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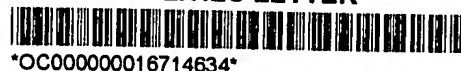
U.S. APPLICATION NUMBER NO. 10/530,073	FIRST NAMED APPLICANT Venugopal K Nair	ATTY. DOCKET NO. AM 101125
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25291
WYETH
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INTERNATIONAL APPLICATION NO. PCT/EP03/11360	
I.A. FILING DATE 10/14/2003	PRIORITY DATE 10/15/2002

CONFIRMATION NO. 7581
371 FORMALITIES LETTER



OC000000016714634

Date Mailed: 08/08/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/01/2005
- Copy of the International Search Report filed on 04/01/2005
- Copy of IPE Report filed on 04/01/2005
- Information Disclosure Statements filed on 04/01/2005
- U.S. Basic National Fees filed on 04/01/2005
- Priority Documents filed on 04/01/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

JOHN LEVIS

AUG 17 2005

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

DOCKETED
DUE DATE
STAT DATE
BY:

10/8/05
2/2/06
25 8/17/05

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- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,073	PCT/EP03/11360	AM 101125

FCRM PCT/DO/EO/905 (371 Formalities Notice)